

## DRAFT RULEMAKING SHADING LEGEND

- \* Shaded text - Rule sections or subsections not suggested for revision. This text is only for reference.
  - \* Unshaded Text - Rule sections or subsections that are suggested for revision.
  - \* Boldface Text – Suggested language additions.
  - \* Strikeout Text – Suggested language deletions.
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### 10 CSR 10-6.070 New Source Performance Regulations

- (1) Applicability.
  - (A) The provisions of 40 CFR part 60 promulgated June 30, ~~[2003]~~**2004** and hereby incorporated by reference in this rule, as published by the Office of the Federal Register, U.S. National Archives and Records, 700 Pennsylvania Avenue NW, Washington, D.C. 20408. This rule does not incorporate any subsequent amendments or additions.
  - (B) Exceptions to the adoption are as follows:
    - 1. Sections 60.4, 60.9 and 60.10 of subpart A;
    - 2. Subpart B in its entirety;
    - 3. Those provisions which are not delegable by United States Environmental Protection Agency (EPA). Examples of these are listed as follows:
      - A. Innovative Technology Waivers (for example, sections 60.47, 60.286 and 60.398);
      - B. Commercial Demonstration Permits (for example, section 60.45(a));
      - C. Alternative or Equivalent Methods (for example, sections 60.8(b)(2), 60.8(b)(3), 60.11(e), 60.114(a), 60.195(b), 60.302(d)(3), 60.482-1(c)(2), 60.484, 60.493(b)(2)(i)(A), 60.496(a)(1), 60.592(c) and 60.623); and
      - D. National Consistency (for example, sections 60.332(a)(3) and 60.335(f)(1)); and
    - 4. Incinerators which are subject to Hazardous Waste Management Commission rule 40 CFR 264, subpart O as incorporated in 10 CSR 25-7.264 shall not be subjected to the requirements of this rule. The exemptions granted under 40 CFR 264.340(b) as incorporated in 10 CSR 25-7.264 are subject to this rule. All other applicable requirements of this chapter shall remain in effect as to the incinerators.
  - (C) **In addition to complying with the provisions of this rule, affected sources may be required to obtain an operating permit pursuant to Title V of the Clean Air Act Amendments or 10 CSR 10-6.065.**
  - ~~[(C)]~~(D) Where emission limitations, test procedure or other requirements found in both subsection (1)(A) of this rule and in another rule under Title 10 Division 10 of the *Code of State Regulations* are applicable to an emission source, the more restrictive rule requirement shall be applied.

- (2) Definitions. Certain terms used in 40 CFR part 60 refer to federal officers, agencies and publications. The following terms applicable to Missouri shall be substituted where appropriate for the delegable federal counterparts:
- (A) Director shall be substituted for Administrator;
  - (B) Missouri Department of Natural Resources shall be substituted for EPA, EPA Regional Office or Environmental Protection Agency; and
  - (C) *Missouri Register* shall be substituted for *Federal Register*.

- (3) General Provisions. The following are the New Source Performance Standards (NSPS) 40 CFR part 60 subparts that are adopted by reference in subsection (1)(A) of this rule. Individual source operations or installations in these categories are subject to this rule based on date of commencement of construction and other category specific parameters, as specified in the applicable subpart:

Subpart	Title
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| (D)  | <b>Standards of Performance for Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced After August 17, 1971</b>   |
| (Da) | <b>Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978</b>   |
| (Db) | <b>Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units</b>   |
| (Dc) | <b>Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units</b>   |
| (E)  | <b>Standards of Performance for Incinerators</b>   |
| (Ea) | <b>Standards of Performance for Municipal Waste Combustors for Which</b><br><del>[constructed]</del> <b>Construction is Commenced</b> [a]After December 20, 1989[;] and on or<br>[b]Before September 20, 1994  |
| (Eb) | <b>Standards of Performance for Large Municipal Waste Combustors</b><br><del>[constructed]</del> <b>for Which Construction is Commenced</b> [a]After September 20, 1994<br><b>or for Which Modification or Reconstruction is Commenced After June 19, 1996</b> |
| (Ec) | <b>Standards of Performance for Hospital/Medical/Infectious Waste Incinerators</b><br><del>[constructed]</del> <b>for Which Construction is Commenced</b> [a]After June 20, 1996   |
| (F)  | <b>Standards of Performance for Portland Cement Plants</b>   |
| (G)  | <b>Standards of Performance for Nitric Acid Plants</b>   |
| (H)  | <b>Standards of Performance for Sulfuric Acid Plants</b>   |
| (I)  | <b>Standards of Performance for Hot Mix Asphalt</b> <del>[Concrete Plants]</del> <b>Facilities</b>   |
| (J)  | <b>Standards of Performance for Petroleum Refineries</b>   |
| (K)  | <b>Standards of Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced</b> [a]After June 11, 1973, and Prior to May 19, 1978  |
| (Ka) | <b>Standards for Performance for Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984</b>  |
| (Kb) | <b>Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced</b> [a]After July 23, 1984  |

- (L) **Standards of Performance for Secondary Lead Smelters**
- (M) **Standards of Performance for Secondary Brass and Bronze Production Plants**
- (N) **Standards of Performance for Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973**
- (Na) **Standards of Performance for Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983**
- (O) **Standards of Performance for Sewage Treatment Plants**
- (P) **Standards of Performance for Primary Copper Smelters**
- (Q) **Standards of Performance for Primary Zinc Smelters**
- (R) **Standards of Performance for Primary Lead Smelters**
- (S) **Standards of Performance for Primary Aluminum Reduction Plants**
- (T) **Standards of Performance for the Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants**
- (U) **Standards of Performance for the Phosphate Fertilizer Industry: Super[-]phosphoric Acid Plants**
- (V) **Standards of Performance for the Phosphate Fertilizer Industry: Diammonium Phosphate Plants**
- (W) **Standards of Performance for the Phosphate Fertilizer Industry: Triple Superphosphate Plants**
- (X) **Standards of Performance for the Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities**
- (Y) **Standards of Performance for Coal Preparation Plants**
- (Z) **Standards of Performance for Ferroalloy Production Facilities**
- (AA) **Standards of Performance for Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974, and On or Before August 17, 1983**
- (AAa) **Standards of Performance for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 17, 1983**
- (BB) **Standards of Performance for Kraft Pulp Mills**
- (CC) **Standards of Performance for Glass Manufacturing Plants**
- (DD) **Standards of Performance for Grain Elevators**
- (EE) **Standards of Performance for Surface Coating of Metal Furniture**
- (GG) **Standards of Performance for Stationary Gas Turbines**
- (HH) **Standards of Performance for Lime Manufacturing Plants**
- (KK) **Standards of Performance for Lead-Acid Battery Manufacturing Plants**
- (LL) **Standards of Performance for Metallic Mineral Processing Plants**
- (MM) **Standards of Performance for Automobile and Light[-]Duty Truck Surface Coating Operations**
- (NN) **Standards of Performance for Phosphate Rock Plants**
- (PP) **Standards of Performance for Ammonium Sulfate Manufacture**
- (QQ) **Standards of Performance for the Graphic Arts Industry: Publication Rotogravure Printing**
- (RR) **Standards of Performance for Pressure Sensitive Tape and Label Surface Coating Operations**
- (SS) **Standards of Performance for Industrial Surface Coating: Large Appliances**
- (TT) **Standards of Performance for Metal Coil Surface Coating**

- (UU) **Standards of Performance for** Asphalt Processing and Asphalt Roofing Manufacture
- (VV) **Standards of Performance for** Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry
- (WW) **Standards of Performance for the** Beverage Can Surface Coating Industry
- (XX) **Standards of Performance for** Bulk Gasoline Terminals
- (AAA) **Standards of Performance for** New Residential Wood Heaters
- (BBB) **Standards of Performance for the** Rubber Tire Manufacturing Industry
- (DDD) **Standards of Performance for Volatile Organic Compound (VOC) Emissions from the** Polymer Manufacturing Industry
- (FFF) **Standards of Performance for** Flexible Vinyl and Urethane Coating and Printing
- (GGG) **Standards of Performance for** Equipment Leaks of VOC in Petroleum Refineries
- (HHH) **Standards of Performance for** Synthetic Fiber Production Facilities
- (III) **Standards of Performance for Volatile Organic Compound (VOC) Emissions [F]From the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes**
- (JJJ) **Standards of Performance for** Petroleum Dry Cleaners
- (KKK) **Standards of Performance for** Equipment Leaks of VOC From Onshore Natural Gas Processing Plants
- (LLL) **Standards of Performance for** Onshore Natural Gas Processing[–]: SO<sub>2</sub> Emissions
- (NNN) **Standards of Performance for Volatile Organic Compound (VOC) Emissions [F]From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations**
- (OOO) **Standards of Performance for** Nonmetallic Mineral Processing Plants
- (PPP) **Standard of Performance for** Wool Fiberglass Insulation Manufacturing Plants
- (QQQ) **Standards of Performance for** VOC Emissions From Petroleum Refinery Wastewater Systems
- (RRR) **Standards of Performance for Volatile Organic Compound Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes**
- (SSS) **Standards of Performance for** Magnetic Tape Coating Facilities
- (TTT) **Standards of Performance for** Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines
- (UUU) **Standards of Performance for** Calciners and Dryers in Mineral Industries
- (VVV) **Standards of Performance for** Polymeric Coating of Supporting Substrates Facilities
- (WWW) **Standards of Performance for** Municipal Solid Waste Landfills
- (AAAA) **Standards of Performance for** Small Municipal Waste Combustion Units for Which Construction is Commenced After August 30, 1999 or for Which Modification or Reconstruction is Commenced After June 6, 2001
- (CCCC) **Standards of Performance for** Commercial and Industrial Solid Waste Incineration Units for Which Construction [F]is Commenced After November 30, 1999 or for Which Modification or Reconstruction Is Commenced on or After June 1, 2001

(4) Reporting. Reporting requirements are specified in each federal regulation adopted by reference.

- (5) Test Methods.
  - (A) Relation to 10 CSR 10-6.030 Sampling Methods for Air Pollution Sources. The sampling methods given in 40 CFR part 60, Appendix A and specified in 10 CSR 10-6.030 shall be effective as of the date in section (1) of this rule.
  - (B) Relation to 10 CSR 10-6.040 Reference Methods. The reference methods given in 40 CFR parts 50 and 53 and specified in 10 CSR 10-6.040(4) shall be effective as of the date in section (1) of this rule.